

Remarks

The Final Office Action dated August 25, 2011 has been carefully considered. Claims 1-5, 7-12, 16, 23, and 24 have been amended without the addition of new matter. Support for the amendments can be found in the previously presented claims and in the specification on page 5, lines 23-25, page 6, lines 6-7, page 11 lines 21-22 and in the examples. Claims 14, 15, 17, 25, and 26 have been cancelled without prejudice. Reconsideration of the currently presented claims in view of the following Remarks is respectfully requested.

Claim Rejections – 35 USC § 103

In Paragraph 4 of the Office Action, claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schnur et al. (US 2003/0096713). Applicant has amended claim 1 to limit the invention to specific thermoplastics including polyvinyl chloride, polyamide, polycarbonate, or acrylonitrile butadiene styrene; and lubricant compositions consisting essentially of (a) a first component consisting of natural fat and/or oil selected from natural coconut oil or a hydrogenated tallow with an iodine value below 10; and (b) a second component comprising one lubricant different from the first component (a) for thermoplastic polymers wherein the lubricant (b) is selected from fatty acid ester of fatty alcohols, dicarboxylic acid esters of fatty alcohols, and polyol fatty acid ester.

Schnur et al. is directed to lubricating compositions and not thermoplastic compositions of the present invention. Schnur et al. requires the addition of antioxidants and detergents or dispersants to the lubricating composition disclosed therein. See Abstract and ¶¶ [0005], [0017] et. seq., [0060] et. seq. Schnur et al. teaches that the antioxidants and detergents or dispersants

“are useful act [sic] controlling oxidation of lubricants” which is the goal of the invention.

¶ [0005]. The additional elements taught by Schnur et al. affect the characteristics of the composition. Therefore, Schnur et al. does not teach, suggest or disclose the currently presented claims. In light of the amendments and these remarks, Applicant respectfully requests the Examiner withdraw the rejection of claims 1-3.

In Paragraph 5 of the Office Action, claims 1-5, 8, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worschech et al. (US 3,875,069) (referred to as ‘069) in view of Worschech et al. (4,637,887) (referred to as ‘887). Applicant has amended claims 1 and 16 and have cancelled claims 14, 15 and 17 without prejudice. The current invention as set forth in the currently presented claims is directed to a thermoplastic lubricant composition which includes a lubricant composition consisting essentially of (a) a first component selected from natural coconut oil or a hydrogenated tallow with an iodine value below 10; and (b) a second component selected from fatty acid ester of fatty alcohols, dicarboxylic acid esters of fatty alcohols, or polyol fatty acid ester. Worschech et al. ‘069 does not disclose or suggest a thermoplastic lubricant composition including the lubricant composition set forth in the currently presented claims. In particular, Worschech et al. ‘069 teaches using mixed esters (component A) with an ester (component B). See col. 2, ll. 31-54. Therefore, Worschech et al. ‘069 does not teach, suggest or disclose the elements of the current invention. Worschech et al. ‘887 does not cure this deficiency. Neither the Worschech et al. ‘069 nor ‘887 references, alone or in combination, teach, suggest or disclose the elements of the currently presented claims. In light of the amendments and the above remarks, Applicant respectfully requests the Examiner withdraw the rejection of claims 1-5, 8, and 16.

In Paragraph 6 of the Office Action, claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Worschech et al. (US 3,875,069) (referred to as '069) in view of Worschech et al. (4,637,887) (referred to as '887 as applied to claim 1 above), and further in view of Alastalo et al. (US 2005/0009957A1). Applicant hereby incorporates the remarks above. Neither the Worschech et al. '069 nor '887 references, alone or in combination, teach, suggest or disclose the elements of the currently presented claim 22. Alastalo et al. does not cure this deficiency. In light of the amendments and the above remarks, Applicant respectfully requests the Examiner withdraw the rejection of claim 22.

In Paragraph 7 of the Office Action, claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Worschech et al. (US 3,875,069) (referred to as '069) in view of Worschech et al. (4,637,887) (referred to as '887 as applied to claim 1 above), and further in view of Haack et al. (US 5,889,102). Applicant hereby incorporates the remarks above. Neither the Worschech et al. '069 nor '887 references, alone or in combination, teach, suggest or disclose the elements of the currently presented claim 9. Haack et al. does not cure this deficiency. In light of the amendments and the above remarks, Applicant respectfully requests the Examiner withdraw the rejection of claim 9.

In Paragraph 8 of the Office Action, claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Worschech et al. (US 3,875,069) (referred to as '069) in view of Worschech et al. (4,637,887) (referred to as '887 as applied to claim 1 above), and further in view of Dohi et al. (US 2004/0014861 A1). Applicant hereby incorporates the remarks above. Neither the

Worschech et al. '069 nor '887 references, alone or in combination, teach, suggest or disclose the elements of the currently presented claim 10. Dohi et al. does not cure this deficiency. In light of the amendments and the above remarks, Applicant respectfully requests the Examiner withdraw the rejection of claim 10.

In Paragraph 9 of the Office Action, claims 7, 11-12, 19, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worschech et al. (US 3,875,069) (referred to as '069) in view of Worschech et al. (4,637,887) (referred to as '887) as applied to claims 1 and 16 above, in view of Dohi et al. (US 2004/0014861 A1) as applied to claim 10, in view of Haack et al. (US 5,889,102) as applied to claim 9 and further in view of Lindner (US 6,818,689).

Applicant has amended claims 1 and 16, upon which the rejected claims are dependent. Applicant has cancelled claims 25 and 26 without prejudice to the subject matter found therein.

First, Applicant hereby incorporates the remarks above. Neither the Worschech et al. '069 nor '887 references, alone or in combination, teach, suggest or disclose the elements of the currently presented claims. Neither of Dohi et al. or Haack et al., alone or in combination with Worschech et al. '069 nor '887 references, cure this deficiency. The addition of Lindner to the Worschech et al. '069 nor '887, Dohi et al. and/or Haack et al. references does not cure this deficiency.

Second, Applicant has amended claims 1 and 16, upon which the rejected claims are dependent, to limit the lubricant compositions to specific thermoplastics including polyvinyl chloride, polyamide, polycarbonate, or acrylonitrile butadiene styrene; and lubricant compositions consisting essentially of (a) a first component selected from natural coconut oil or a hydrogenated tallow with an iodine value below 10; and (b) a second component selected from

fatty acid ester of fatty alcohols, dicarboxylic acid esters of fatty alcohols, or polyol fatty acid ester. Lindner teaches the use of an organic acid in conjunction with an ester of a monofunctional organic acid and a dihydric alcohol, or an ester of a monofunctional organic acid and a monohydric alcohol, or a monohydric alcohol ester of a dicarboxylic aromatic acid, or mixtures thereof. See col. 2, ll. 9-24. Therefore, Lindner requires the addition of an organic acid to the composition to act “as an internal lubricant and metal release agent for polyvinylchloride” which is the goal of the invention. Col. 3, ll. 57-59; col. 2, ll. 51-55 (“It is desirable that the polyvinylchloride in the extruder have present materials which function both as internal and external lubricants.”). Lindner also discloses that a component in addition to the organic acid and the above-listed other (B) component may be hydrogenated triglyceride. Lindner therefore does not teach, suggest or disclose the elements of the current invention. In light of the amendments and the above remarks, Applicant respectfully requests the Examiner withdraw the rejection of claims 7, 11-12, and 19.

Conclusion

In view of the amendments and remarks presented herein, Applicant submits that the present application is in condition for allowance, and such action is respectfully requested. If, however, any issues remain unresolved, the Examiner is invited to telephone Applicant's counsel at the number provided below.

Respectfully submitted,

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